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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/472,062	12/23/1999	TADASHI OHASHI	1341.1037/JD	8272

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EXAMINER

NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 10/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/472,062

Applicant(s)

OHASHI, TADASHI

Examiner

Maikhanh Nguyen

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This action is responsive to communications: Supplemental Amendment B filed 08/06/2003 to the original application filed 12/23/1999.
2. Claims 1-11 are currently pending in this application. Claims 1-11 have been amended. Claims 1, 6 and 9 are independent claims.

**Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 and 5-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Serbinis et al.** (U.S. 6,584,466 – filed 04/1999) in view of **Royappa** “Implementing Catalog Clearinghouses with XML and XSL” (ACM- 1998).

**As to independent claim 1**, Serbinis discloses an integrated document management system (*document management system; col.3, lines 14-19*) comprising:

- a storage unit (*store 30 preferably comprises either a relational database, where the electronic documents and information about the document is stored in the relational database; col.5, lines 47-62*) which stores therein a document database (*database; col.5, lines 27-62*)

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comprising plurality of documents having together a hierarchical structure (*hierarchical storage scheme for storing electronic documents; col.7, lines 16-22*) comprising an upper layer and lower layer (*hierarchical storage scheme for storing electronic documents ... a generalized high level description of a document ...DMS system 17 also preferable supports multiple versions of documents ...the parent and child document instance, a version name and a unique version ID; col.7, lines 17-62 & Fig.3*), where the structure is defined with hypertext described in an extended markup language (*XML; col.16, lines 1-25*) and

- a management information database comprising management information comprising an XML file indicating a relation between a document in the upper layer and a document in the lower layer (*The services interfaces also permit users to interact with DMS system 17 ...Each DMS service may response to requests for data using different formats, e.g., HTML, XML; col.5, line 64-col.6, line 9*);

- a server (*store 30 is connected to server computer; col.5, lines 36-47 & Figs. 1A-B*) connected to said storage unit and provided with the manager of the documents (*server 20 provides digital certificates to users ...sign document; col.6, lines 1-7*); and

- a client connected via a network to said server (*one or more separate computers connected to server computer; col.5, lines 63-67*) and retrieves, based on the management information, by accessing said server (*an electronic document may be stored on an Internet-accessible server and accessed ...the server for access ... including storage and retrieval service; Abstract*), the document in the upper layer and the document in the lower layer each having a specified version number from the document database (*DMS system 17 also preferably*

*supports multiple versions of documents ... A document version object is employed in document information table of database; col. 7, lines 42-48).*

However, Serbinis does not explicitly disclose “a document type definition file describing information on a version number of each document, and a document style sheet file defining a style of each document.”

Royappa discloses a document type definition file describing information on a version number of each document (*The structure of XML documents can be described using Document Type Definition; page 617, the right column, the third and the fourth paragraph*), and a document style sheet file define a style of each document (*XSL for presentation and display of XML documents; page 617, the right column, the sixth and seventh paragraph*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings Royappa with Serbinis because it would have provided the capability for describing information of an XML document and for defining a style of an XML document.

**As to dependent claim 2**, Serbinis discloses the management information includes information indicating a collection of a plurality of documents in a on the same layer (*Document objects 72A and 72B represent a generalized high level description of a document; col. 7, lines 28-32*) and version number of the plurality of documents, and said client retrieves, based on the management information, by accessing from said server the collection of the plurality of documents in the same layer, the documents retrieved each having a specified version number, from the document database (*hierarchical storage scheme for storing electronic documents ... a generalized high level description of a document ... DMS system 17 also preferable supports*

*multiple versions of documents ...the parent and child document instance, a version name and a unique version ID; col.7, lines 17-62 & Fig.3).*

**As to dependent claim 5**, Serbinis discloses the management information includes information concerning a security level corresponding to each of the plurality of documents and said server permits or inhibits retrieval of the document according the security level (*col.7, lines 8-62 & Abstract & Fig.2*).

**Independent claim 6** is directed to a document retrieve device for performing the system of claim 1, and is similarly rejected under the same rationale.

**Dependent claim 8** includes the same limitations as in claim 5, and is similarly rejected under the same rationale.

**Independent claim 9** is directed to a computer-readable recording medium for implementing the system of claim 1, and is similarly rejected under the same rationale.

**Dependent claim 7 & 10** include the same limitations as in claim 2, and are similarly rejected under the same rationale.

**Dependent claim 11** includes the same limitations as in claim 5, and is similarly rejected under the same rationale.

4. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Serbinis et al.** in view of **Royappa** "Implementing Catalog Clearinghouses with XML and XSL" and further in view of **Hashimoto et al.** (U.S. 5,893,114 – filed 11/1996).

**As to dependent claim 3**, the combination of Serbinis and Royappa does not explicitly disclose "said server registers, when a document registered in the document database is updated,

the updated document in the document database, and also updates the version number information in the management information concerning the document.”

Hashimoto discloses said server registers, when a document registered in the document database is updated, the updated document in the document database, and also updates the version number information in the management information concerning the document (*the document once registered ... the document is periodically updated; col.5, lines 15-52 & Fig.12*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Hashimoto’s teaching in the system of Serbinis as modified by Royappa because it would have provided the enhanced capability for referring by user who has a similar interest to that of the user includes document information of the user’s interest and those information are effective in detecting a new document.

**As to dependent claim 4**, Serbinis discloses said client sends via the network to said server retrieval information for a document that has been retrieved (*Fig. 1B*).

The combination of Serbinis and Royappa does not explicitly disclose “said server sends, when a document corresponding to the retrieval information is updated, updating information related to the document updated.”

Hashimoto discloses said server sends, when a document corresponding to the retrieval information is updated, updating information concerning the updated document via the network to said client (*server is always accessed to acquire the latest document data; col.5, lines 36-45*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Hashimoto’s teaching in the system of Serbinis as modified by Royappa because it would have provided the enhanced capability for referring by user who has a

similar interest to that of the user includes document information of the user's interest and those information are effective in detecting a new document.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection. Applicants' amendment presented issues which was not presented during previous prosecutions and require a further search and reconsideration of the claim language. Therefore, arguments regarding the teaching of the cited of references are moot in view of the new rejection supplied above.

As to independent claims 1,6, and 9, Applicant argues "a plurality of documents having a hierarchical structure comprising an upper layer and a lower layer" and Fritz does not meet the cited limitation.

In response, XML, XML file, and some other limitations were not previously claimed. In amendment A and Supplemental Amendment B, Applicant have amended independent claims 1, 6, and 9 to include XML, XML file, a document type definition, and a document style sheet file, etc.,

The rejection above clarifies how the combination of Serbinis, Royappa and Hashimoto meets the amended claims.

As to dependent claims 2-5, 7-8 and 10-11, the arguments are not persuasive for reason as discussed above with regards to independent claims 1, 6, and 9.



**Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tommie Usdin et al., " XML: Not a Silver Bullet, But a Great Pipe Wrench", Mulberry Technologies, Inc., Rockvile, MD, StandardView Vol.6, No.3, 09/1998, pages 125-132.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (703)306-0092. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (703) 305-9792. The fax phone numbers for the

organization where this application or proceeding is assigned are (703) 308-5403 for regular communications and (703) 308-5403 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

**Contact Information:**

Any response to this action should be mailed to:

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450


Or fax to:

AFTER-FINAL faxes must be signed and sent to (703) 746-7238.  
OFFICIAL faxes must be signed and sent to (703) 872-9306.  
NON OFFICIAL faxes should be sent to (703) 746-7240.

All OFFICIAL faxes will be handled and entered by the docketing personnel. The date of entry will correspond to the actual FAX reception date unless that date is a Saturday, Sunday, or a Federal Holiday within the District of Columbia, in which case the official date of receipt will be the next business day. The application file will be promptly forwarded to the Examiner unless the application file must be sent to another area of the Office, e.g., Finance Division for fee charging, etc.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist). All hand-delivered responses will be handled and entered by the docketing personnel. Please do not hand deliver responses directly to the Examiner.

Maikhanh Nguyen  
October 9, 2003

  
SANJIV SHAH  
PRIMARY EXAMINER